IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 11TH AUGUST 2006 / 20TH SRAVANA 1928

Bail Appl..No. 4892 of 2006

CRIME NO.253/2006 OF KASABA POLICE STATION

PETITIONER/ACCUSED

BIJU, S/O.KUNNATH SWAMYKUTTY,
KUNNATH HOUSE, MANALTHAZHAM,
GOVINDAPURAM P.O., KOZHIKODE.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS: COMPLAINANT AND STATE

---

1. THE SUB INSPECTOR OF POLICE,
KASABA POLICE STATION, KOZHIKODE.

2. STATE REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/08/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 4892/2006

DATED THIS THE 11TH DAY OF AUGUST, 2006

O R D E R

The petitioner is before this Court, under Section 438 Cr.P.C., as he is accused of the offence punishable under Sections 452, 323, 324, 353 and 294(b) of IPC and also under Section 3(2) of the P.D.P.P.Act. The allegation is that on 30.7.2006 at about 8.00 p.m., the petitioner had trespassed into the KSEB office at Mankavu, to enquire about the reason for the power failure. Because of the altercation between the petitioner and the staff therein, he caused damages to the Electricity Board implements including eleven electric meters and thereby, causing damage of worth Rs.16,000/- to the Electricity Board. Hence, crime No. 253/2006 was registered by Kasaba Police Station, at Kozhikode.

2. I heard the arguments advanced by the counsel as well as the learned Public Prosecutor. Considering the materials on record, I direct the petitioner to surrender

before the Investigating Officer, who is investigating crime No.253/2006 of Kasaba Police Station, at Kozhikode, on 18.8.2006 between 10.00 a.m and 11.00 a.m. The Investigating Officer shall interrogate the petitioner and thereafter, produce him before the Court below, on the same day, before 5.00 p.m.

3. The learned Magistrate shall allow the application for bail, that may be filed by the petitioner, on imposing such conditions as are deemed necessary, including the reporting before the Investigating Officer, if any, so prayed for, by the prosecution.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs